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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants : Mark W. Bitensky et al. :  
Serial No. : 09/965,644 : EXAMINER:  
Filed : September 27, 2001 : GROUP ART UNIT: 1645  
For : CELLULAR DIAGNOSTIC ARRAYS,  
METHODS OF USING AND  
PROCESSES FOR PRODUCING  
SAME :  
.....

BOX MISSING PARTS  
Commissioner For Patents  
Washington, DC 20231

**SUBMISSION OF SUBSTITUTE DRAWINGS**

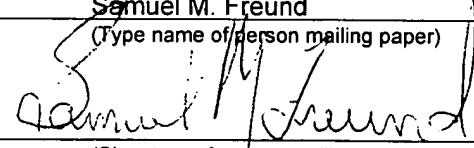
In response to the Notice To File Missing Parts dated October 30, 2001 in the above-identified patent application, applicants are submitting six (6) sheets of Substitute Drawings.

**CERTIFICATE OF MAILING (37 CFR 1.8(a))**

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, DC 20231.

\_\_\_\_\_  
Samuel M. Freund

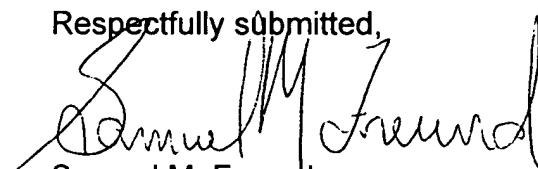
(Type name of person mailing paper)

\_\_\_\_\_  
  
(Signature of person mailing paper)

Date: February 28, 2002.

No new matter has been added to these drawings, and applicants respectfully request that they be entered into the subject patent application.

Respectfully submitted,



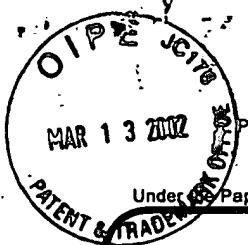
Samuel M. Freund

Attorney for Applicants

Registration No. 30,459

Phone (505) 667-9701

Dated: February 28, 2002.

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\$ MP

MAR 13 2002

Please type a plus sign (+) inside this box → 

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

47

Application Number	09/965,644
Filing Date	September 27, 2001
First Named Inventor	Mark W. Bitensky
Group Art Unit	1645
Examiner Name	

Attorney Docket Number S-092701

## ENCLOSURES (check all that apply)

- Fee Transmittal Form  
 Fee Attached  
 Amendment / Reply  
 After Final  
 Affidavits/declaration(s)  
 Extension of Time Request  
 Express Abandonment Request  
 Information Disclosure Statement  
 Certified Copy of Priority Document(s)  
 Response to Missing Parts/ Incomplete Application  
 Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)  
 Drawing(s)  
 Licensing-related Papers  
 Petition  
 Petition to Convert to a Provisional Application  
 Power of Attorney, Revocation Change of Correspondence Address  
 Terminal Disclaimer  
 Request for Refund  
 CD, Number of CD(s) \_\_\_\_\_

- After Allowance Communication to Group  
 Appeal Communication to Board of Appeals and Interferences  
 Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  
 Proprietary Information  
 Status Letter  
 Other Enclosure(s) (please identify below):

4 Combined Declarations And Power Of Attorney

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Samuel M. Freund

Signature

Date

February 28, 2002

## CERTIFICATE OF MAILING

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Samuel M. Freund

Signature

Date February 28, 2002

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PTO/SB/17 (11-01)

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FEE TRANSMITTAL  
for FY 2002

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 753.00)

## Complete if Known

Application Number	09/965,644
Filing Date	September 27, 2001
First Named Inventor	Mark W. Bitensky
Examiner Name	
Group Art Unit	1645
Attorney Docket No.	S-092701

## METHOD OF PAYMENT (check all that apply)

 Check    Credit card    Money Order    Other    None
 Deposit Account:

Deposit Account Number  
023255

Boston University  
Office of Technology Transfer

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below    Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
101 740	201 370	Utility filing fee	370
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$370.00)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
46	-20** = 26	x 9	= 234	
5	-3** = 2	x 42	= 84	
Multiple Dependent				

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$318.00)

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity | Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	65
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$65.00)

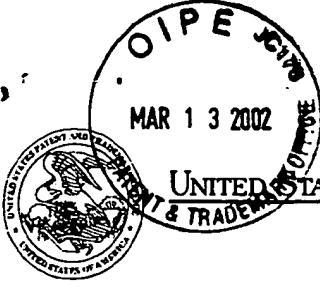
## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Samuel M. Freeland	Registration No. (Attorney/Agent)	30,459	Telephone	(505) 667-9701
Signature	<i>Samuel M. Freeland</i>			Date	02/28/02

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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/965,644	09/27/2001	Mark W. Bitensky	S-092701

CONFIRMATION NO. 3052

FORMALITIES LETTER



\*OC000000006997003\*

Samuel M. Freund  
1820 Corona  
Los Alamos, NM 87544

Date Mailed: 10/30/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$628.
  - \$468 for 26 total claims over 20.
  - \$160 for 2 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1468.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

03/18/2002 MBERHE 00000024 023255 09965644

01 FC:201 370.00 CH

02 FC:203 234.00 CH

03 FC:204 98.00 CH

04 FC:205 65.00 CH

03/19/2002 MBERHE 00000001 023255 09965644

01 FC:202 84.00 CH

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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